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H.27—23,006—24-12-32.

(Education)(1933) Department.

118 SERIES.

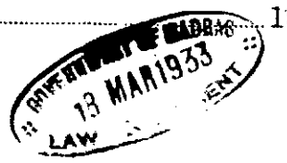
G.O. No.	1030
DATED	9-6-1933

[Despatch Abstract.]

Educational **DEPARTMENT.**

Ex 1052c

Received ..... 19 *Registered* 18/3 19



Subject.

District Educational Council, South Kanara - Location in an inaccessible building - Udipi Anantheshwar Temple Aided Elementary school - exemption from the operation (P) of G.O. 1515, Law Education, dated 18-7-1928.

ENCLOSURES.
No. .....
.....
Spare copies .....

R.O.C. No. 463 B/33

Station Madras ..., *Dated the* 16th March 1933 19

From (Name) W.E. Smith Esq., M.A.,

(Designation) Ag. Director of Public Instruction

To The Secretary to the Government of Madras,

Law Education Department.

Sir,

In submitting herewith the memorial from the Manager of the Sri Anantheshwar Temple school, Udipi, I have the honour to state as follows:- pp3-5 infm

2. The manager requests exemption from the operation (P) of G.O.No. 1515 Law Education, dated 18th July 1928 which forbids grants to institutions which refuse admission to pupils merely on the ground of their caste or community to which they belong. The District Educational Officer, South Kanara reports that there are no cases of complaint against refusal of admission of Adi-Dravidas into the school. The question of exemption therefore does not

not arise.

3. But what is fatal to the recognition of the school at all are rules 8 and 9 framed under sections 41(2) and 42(2) respectively of the Madras Elementary Education Act, 1920. Rule 8 of the rules framed under Sec. 41(2) of the Act prescribes accessibility to the Adi-dravida pupils as one of the conditions of recognition and is mandatory. Similarly rule 9 Chapter I of the rules under section 42(2) of the Act does not give any discretion either to the D.E.C or the Director of Public Instruction in regard to the payment of grants to schools which are inaccessible. As the rules stand at present there is no provision under which the Director of Public Instruction, District Educational Council or even the Government can exempt any school from the operation of any of the rules framed under the Act. If such exemption is granted it would be technically irregular.

I have the honour to be,

Sir,

Your most obedient servant,

S. Rt. Sawon.

for Director of Public Instruction

P.E.K. 16/3

3

C 1193-32

1 DEC 1932

To

The Secretary to Covernment,

Law (Education) Department, M a d r a s.

Through

The Director of Public Instruction,

M A D R A S

Through

The District Educational Officer,

South Kanara.

Through

The Deputy Inspector of Schools,

Udipi Range.

Humble Memorial of the Manager of the Shri Anantheshwar Temple School, Udipi(South Kanara) Dated 12 December 1932.

Honoured Sir,

Your Memorialist begs to make the following --- representations for favourable consideration :-

1. That the said Shri Anantheshwar Temple School has been in existence for over sixty years and obtained recognition from the Educational Department in the year 1892.

2. That the said school has sent out thousands of pupils after getting their education from the School.

3. That the tabular statement showing the steady progress and increase in the number of pupils has been annexed hereto for reference, which shows the continuous and increasing popularity of this School among the pupils who take advantage of its situation.

4. That since its opening, the said School has been held on the extensive open verandahs of the Shri Anantheswar Temple which adjoins the famous and ancient Temple of Lord Shri Krishna at Udipi. This is situated in the very heart of the

town

town which fact is mostly responsible for its popularity.

5. That after the School in question was started --- several other Schools sprung up in its neighbourhood from time to -- time, so that now within a radius of 2 to 4 furlongues there are not less than half a dozen Schools managed either by the Local Board or Private --- Agencies or Missionaries, each of which counts a decent number of pupils on its rolls.

6. That for the past two years the Inspecting authority in persuance of G.O.No. 1515 1&E., dated 18-7-'28, makes it a point against the grant of financial aid to this Institution that it is inaccesible to the Adidravidas, because by age long custom Adidravidas are not allowed access to the street which has to be crossed before entering the School.

7. That there is not a single house occupied by the Adidravidas within a distance of not less than one mile from the ---- premises of this School and any Adidravida will find a School much nearer to his house than the School in question so that any Adidravid will not find the least neccessity to gain access to this School and as he finds one or the other School much nearer to his house. The paucity among the Adidravida population of School-going children is clear from the fact that the Udipi Taluk Board was obliged to close a separate School once maintained exclusively for Adidravidas for want of an appreciable number of students and to amalgamate it with other schools of its own.

8. That the neighbourhood of the School is a very busy commercial centre and is thickly populated. There is not a -- single building existing within atleast three furlongs of the present situation such as to sufficiently hold at least 300 pupils, nor is there any vacant site in which a suitable building can possibly be erected for the School. Hence the possibility of transferring the School to a place accessible to Adidravidas is extremely remote.

9. That about 40% of pupils attending thisSchool belong to Shivalli Brahmin community who get a free feeding at the Shri Krishna Temple during midday, as such pupils come from very poor families

families who themselves resort to the free dining hall at the said Temple.

10. That having regard to the long standing of the Institution and its utility to the Public and its central situation the custom of non-accessibility should not in special circumstances, be made a ground to deprive it of financial aid from the Government, --- particularly remembering that the quarters of the Adidravidas community are more than a mile from the School and that community has got Schools open to them much nearer than this School.

Your memorialist therefore most humbly prays that you will be graciously pleased to grant exemption to the Shri Ananthe-ShwarTemple School from the operation of the aforesaid G.O. in the interest of the very large portion of the Public which received ---- Education in this School.

U. Venkataraya Kamath
Manager
Shri Anantheshwara Temple school Udipi

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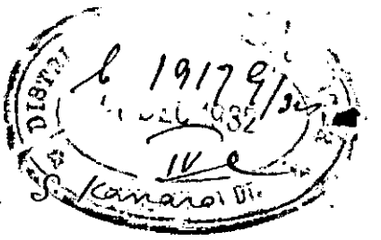
Annexure.

Year.	Strength.
1898	105
1900	104
1903	96
1906	82
1909	110
1914	118
1917	202
1918	227
1919	238
1920	248
1921	232
1922	250
1923	232
1924	246
1925	269
1926	249
1927	247
1928	264
1929	281
1930	296
1931	278
1932	282.

U. Venkataraya Kamath.
Manager
Shri Ananteshwara temple school udipi

D. Dis Oc. C.No 1193/32. 7



Submitted to the A.D. Educational Officer.

2. The representations made by the manager are true.

3 The school which had been started and recognised long before the publication of the G.O No 1515 L.18. dated 18.7.1928 has been in existence as a recognised Elementary school for the last 5 to 6 decades.

4. This has been a well conducted & well attended School doing steady and satisfactory work.

5. In consideration of the above facts and in the extenuating circumstances that about 40% of the pupils in this school belongs the Shivalli Brahmin community receiving free mid day meals at the Shree Krishna Temple and that it is extremely difficult for the management to secure another building or site in close proximity to the present building - the Shree Anantheshwar Temple. I recommend that as a special case exemption may be allowed to this temple school from the operation of the G.O referred to above.

23.12.32 Deputy Inspector of Schools. 23.12.32

Dated Manga

23/12

23 DEC 1932

8

Education Dept.

C.No.1052 C - From the D.P.I. R.O.C. 463, d/14-3-33.

pp1-2 cf

Subject: Locationof an elementary school in the South Kanara District.

So far as the continuance of financial aid to the school is concerned, the D.P.I's interpretation of the position contained in para 2 of his letter is correct. Please see in this connection G.O.No. 855 Education d/ 13-6-32.

pp1-2 cf

(C)

2. The Director's further comments (in para 3 of his letter) do not require consideration here. He mixes up the question of recognition and aid. So far as recognition is conerned, this school is one of long standing, having been established long before the coming into force of the Elementary Education Act, 1920 and its continued recognition is ensured by section 41 (4) of the Act. Moreover it has already been held that rule 8 under section 41 (2) promulgated in G.O.No. No. 1131 Edn. d/ 2-7-31 should apply only to new schools--H.M's note at pp. 15-16 of G.O.No. 472 Edn. d/ 25-3-31. In any case, neither the memorialist nor the President, D.E.C. has raised the question of recognition.

p2 cf

p3 cf

(B)

(F)

As regards aid, we have proceeded till now on the footing that a case for invoking rule 9 of Chapter I under section 42 (1) will arise only when there is actual refusal of admission to depressed classes pupils. Draft following G.O. 855 Edn. d/ 13-6-32 is for approval

(C)

4/6

The request in the final para of the petition (Page 5 (7)) is that the school may be granted exemption from the rules con-

~~9~~ 9 Encl

in G.O. No 1515 L&S of 18.7.1928.

exemption could not be granted and I consider that the Management of the school should be told so simply & briefly. It does not seem necessary to go into all the other points raised in the D.P.I's letter but the Office note briefly. They may be allowed to raise all these on their own accord later

6.6.

M.3

A draft order is submitted

7/6

6.6

(P)

Quite so. We need say nothing more at this stage. The G.O. of 1928 is probably a wrong quotation. That has nothing to do with the location of Schools but with refusal to admit: what the memorialist wants is that he should be excused from making the School accessible to all Communities. This too Cannot be granted.

We may simply say that the exemption asked for cannot be granted — without saying anything about the G.O. of 1928

7/6.

9-JUN-1933
LAW DEPARTMENT

SECRETARY TO GOVERNMENT OF MADRAS
7 JUN 1933
LAW DEPARTMENT

Sectt. 11-5 (b)—15,606—5-11-29.

u c a t i o n DEPARTMENT

	Date.	Initials.
When received for Fair-copying.		
When copied ..		
When examined ..		
When signed ..		
When despatched ..		

64/96

District Educational Council - South Kanara - Depressed classes pupils - Admission to elementary schools - Reference answered.

READ AGAIN G.O. No. ....., dated 19

" " " " ..... " 19

READ ALSO:—

C. No. ..... From the Manager, Sri Anantheshwar Temple School, Udipi, No. ....., dated 12 - 12 - 19 32

" " ~~Endt. of the P.D.E.C., South Kanara " Dis. 1193/32 23 - 12 - 19 32~~

" " 1052 C " " D. P. I. R.O.C.463 B/33 " 14 - 3 - 1933.

ORDER.

No. 1030, dated 9/6/ 1933.

Ms.

The Manager, Sri Anantheshwar Temple School, Udipi, is informed that the Government are unable to grant the exemption applied for.

The Manager, Sri Anantheshwar
Temple School, Udipi.

The P.D.E.C., South Kanara (a I & 9)

" D.P.I.

7/6.

9.6.33

Sectt. II-5 (a)

EDUCATIONAL DEPARTMENT.

	Date.	Initials.
When received for Fair-copying.		
When copied		
When examined		
When signed		
When despatched		

D. E. C.

S. Kanara — Depressed class pupils — Admission to ~~the~~ Govt. Schools — Regu:

READ AGAIN G.O. No. ....., dated ..... amended 19

" " " " ..... " 19

READ ALSO :—

C. No. ..... From the Manager, Sri ....., No. ....., dated 12.12.1932

Anantheswar temple School, Udipi.

" " Endrsmt. of the Pt., D. E. C., S. Kanara, Dt. 1193/19-23/32

" " 1052/ " " D. P. I., R.C. 463/32/33, 14.3.1933

ORDER.

No. ....., dated ..... 19 .

Mr.

To the P. D. E. C., S. Kanara.

D. P. I.

The Pt., D. E. C. S. Kanara, is informed that so long as Schools do not refuse admission to pupils belonging to the depressed classes, grants need not be reduced or withheld.

The case of the Sri Anantheswar temple School, Udipi, should be ~~dealt with~~ disposed of with regu: to future orders; there is no necessity for any order of exemption

4/6.